

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

**IN RE:**

**La Fundadora, Inc.  
Juan Miguel Munoz Roldan  
Patricia Yvonne Galindez Matos**

**DEBTORS**

**CASE NO. 09-05820 SEK  
consolidated with 09-05922 SEK**

**CHAPTER 12**

**MOTION TO INFORM AMENDMENTS TO THE CHAPTER 12 PLAN**

**TO THE HONORABLE COURT:**

**HERE COMES** Debtors through the undersigned attorney and respectfully request and pray for the following:

1. Debtors, the corporation in case 09-05820 and the individuals in case 09-05822, La Fundadora, Inc., Juan Miguel Munoz Roldan and Patricia Yvonne Galindez Matos filed a Chapter 12 petition on July 15, 2009.
2. Subsequently to the filing a motion requesting consolidation of both cases was filed and was granted by this Honorable Court.
3. Debtors filed the Chapter 12 plan on October 11, 2009. The bar date for the general unsecured creditors in both cases was set for November 9, 2009, since said date has elapsed and after verifying the claims filed, an amended plan is being filed in order to clarify the payment proposal.
4. Debtor proposes with the confirmation of the plan to consolidate all of the loans owe to Banco Santander Puerto Rico in one. Since Debtor is modifying all of these loans, which will include any accumulated arrears, proposes a step up payments. The step up plan will be Beginning on February 2010 up until February 2015 (Bi-weekly payments of \$3,925.21); Beginning on March 2015 up until March 2025 (These payments will start

following the consummation of the plan and continue for 10 additional years (Bi-weekly payments of \$4,242.89); Beginning on April 2025 up until March 2040. These payments will start following the step up that ends on March 2025 and continue for 15 additional years (Bi-weekly payments of \$4,593.25).

5. In addition to clarifying the treatment, creditor, Banco Santander Puerto Rico will receive, Debtors also corrects the amounts to be paid for the priority portions owe to Internal Revenue Service. The payments to said creditor will be: \$4,680.00 for personal social security (Priority Portion). The 943 tax returns for the years 2009, second trimester. All of the previous trimesters are up to date. This amount will be \$1,015.75.
6. As to creditor, CRIM, the same filed a secured claim which will be amended accordingly since Debtors are bonafide agricultures and they have submitted said evidence to creditor. Any amount to result from the amendment will be paid by the Chapter 12 plan.
7. In regards to the payments to be made to the general unsecured creditors, Debtors correct the distribution to be paid directly to the Chapter 12 Trustee in order to cover the before mentioned payments of priority and general unsecured as they appeared in the Projections and with the interest of 3.25%. The proposed payments are:  **$\$0 * 3 = \$0$ ;  $\$500 * 5 = \$2,500.00$ ;  $\$1,500 * 9 = \$13,500$ ;  $\$3,000 * 13 = \$39,000$ ;  $\$4,210 * 30 = \$126,300$  for a total base of \$181,300.**
8. Debtors also clarify that the attorney's fee of \$4,000.00 will be paid from the before mentioned disbursement.
9. As stated in the Projections filed, Debtors will obtain additional milk quota of 5,600 ctls at a rate of \$23.00. This purchase is considered on May 2011. It also contemplates the period and the rate at which the loan will be obtained through USDA/FSA. This will be done with the approval of this Honorable Court.
10. With this motion, Debtors notify the amended made to the plan and this motion becomes an integral component of the original Chapter 12 plan.

11. For all the reason stated above, Debtors request for this Honorable Court to take notice of this motion and confirmed the Chapter 12 plan.

**WHEREFORE**, Debtors pray for an Order granting this motion with any other procedure that in accordance to law this Honorable Court deems just and proper.

**I CERTIFY** that this motion has been electronically filed using CM/ECF and that a copy of the same was forwarded to the office of Jose R. Carrion Morales, Esq. Chapter 13 Trustee and all other parties in interest giving them twenty (20) days to object and request a hearing. If no objections are filed within the prescribed period of time the court may enter an order granting the relief herein requested.

In Caguas, Puerto Rico, this 10 day of November of 2009.

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